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March 21, 2013

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**Via ECF**

Magistrate Judge Cheryl L. Pollak  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Marin v. Apple-Metro, Inc. et al  
Case No. 12-CV-05274 (ENV)(CLP)**

Dear Magistrate Judge Pollak:

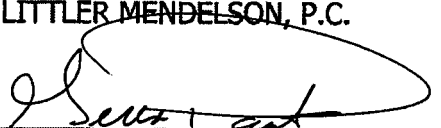

We represent the Parties in the above-referenced matter. Pursuant to Your Honor's Status Report Order dated February 21, 2013, the Parties jointly submit this letter to update the Court as to the status of the case.

On October 22, 2012, Plaintiff Carlos Marin commenced this action by filing a complaint, on behalf of himself and all others similarly situated, asserting certain causes of action under the Fair Labor Standards Act (FLSA) and New York Labor Law, which are based on allegations that Defendants failed to pay Plaintiff and all others similarly situated, proper wages and also retaliated against Plaintiff in violation of the FLSA. On March 12, 2013, Plaintiff filed an amended complaint, which added additional defendants to the action as well as additional allegations in relation to those defendants. In the interests of convenience, Defendants accepted service of the amended complaint as of March 15, 2013, and the Parties have acknowledged that service of the answer to the amended complaint shall be served and filed on or before March 29, 2013, pursuant to FRCP 15(a)(3).

The Parties hope that this letter provides the Court with a sufficient update as to the status of the case. Should the Court wish to discuss this status letter or anything else involving the case, the Parties will make themselves available either telephonically or in person, at the Court's convenience.

Respectfully submitted,

Magistrate Judge Cheryl L. Pollak  
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<p>MARCH 21, 2013</p> <p>LITTLER MENDELSON, P.C.</p>  <p>Craig R. Benson George Pauta 900 Third Ave. New York, NY 10022 (212) 583-2681</p> <p><i>Attorneys for Defendants</i></p>	<p>MARCH 21, 2013</p> <p>THE LAW OFFICE OF BORRELLI &amp; ASSOCIATES, PLLC</p>  <p>Douglas Levine Michael J. Borrelli 1010 Northern Boulevard, Suite 328 Great Neck, New York 11021 (516) 248-5550</p> <p><i>Attorneys for Plaintiff, on behalf of himself and all others similarly situated</i></p>
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cc: Magistrate Judge Cheryl L. Pollak (*courtesy copy*)  
Douglas Levine, Esq. (*via ECF and email*)